

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff)	
)	
v.)	Case No. 4:20-cr-00488-001
)	
IAN MULLIGAN)	
Defendant)	
)	

MOTION TO SUPPRESS STATEMENTS

COMES NOW, Defendant, by counsel, and moves this Court to suppress statements allegedly made by the Defendant on September 3, 2019. As grounds Defendant states:

1. On September 3, 2019, Detective Lucca of St. Louis County Police Dept. questioned the Defendant regarding several items of alleged evidentiary value located within the residence at 3347 Krem Avenue where Defendant resided with his mother.
2. Defendant agreed to speak with Detective Lucca in the presence of another police officer, Detective Meyer, since he reasonably believed that he was under police custody.
3. Defendant did confirm the presence of a desktop computer and a cellular phone in his bedroom before requesting that an attorney be present for further questioning.
4. Defendant was subsequently booked under the separate charges of promoting child pornography and possession of child pornography.
5. Defendant spoke to Detectives Lucca and Meyer because he reasonably believed that he was in police custody at the time and had to speak with the officers.

6. Defendant was not read his Miranda rights prior to the interrogation, nor was any knowing and intelligent waiver of these rights given to the officers.
7. Any statements obtained from the Defendant were obtained in violation of his Fifth Amendment Right guaranteed by the United States Constitution.

WHEREFORE, Defendant moves this Court to suppress as evidence any and all statements allegedly made by the defendant throughout the course of the investigation. Defendant also moves this Court to grant a hearing on this Motion and such other relief this Court deems just.

Respectfully Submitted,

/s/ Ellsworth Ware, III
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